

Ordinance No. _____, Series 2007

**AN ORDINANCE AMENDING AND REENACTING
CHAPTER 161 OF THE LOUISVILLE/JEFFERSON
COUNTY METRO GOVERNMENT CODE OF
ORDINANCES RELATING TO NEIGHBORHOOD PLANS.**

**Sponsored By: Councilman Rick Blackwell, District 12, and
Councilman Kelly Downard, District 16**

WHEREAS, Louisville Metro Planning and Design Services engages in the neighborhood planning process which incorporates citizen participation into the process of developing long and short-term goals for neighborhood development in Louisville Metro; and,

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government ("Council") recognizes the importance neighborhood planning and of providing structure to the neighborhood planning process; and,

WHEREAS, the Council wishes to re-enact the provisions of Chapter 161 of the Louisville Metro Code of Ordinances to provide a process for neighborhood planning, subject to certain revisions as follows;

NOW THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

.SECTION I: Chapter 161 of the Louisville/Jefferson County Metro Government Code of Ordinances is hereby amended and reenacted in its entirety as follows:

~~NEIGHBORHOOD AND AREA REDEVELOPMENT PLANS~~

~~§ 161.01 FINDINGS, DECLARATION OF PUBLIC POLICY, AND PURPOSES.~~

~~(A) Findings. The Metro Council finds that many residential, commercial, and~~

~~industrial areas of the city are deteriorating because of lack of maintenance by property owners, encroachment of mixed land uses, increased automobile and truck traffic caused by both suburban expansion and the introduction of high intensity nonconforming land uses, declining public services, aging and sometimes deficient public utility service, lack of well-maintained community facilities, increasing crime and the problems related thereto, increasing human resource needs, as well as increasing pollution. The gradual decay and deterioration has affected the once attractive and well-maintained residential areas and previously prosperous industrial and commercial areas of the county, thereby causing an erosion to the county's population and economic base, which acts cumulatively to deter private investment in homes and businesses. The consequent decrease in population, employment, tax revenue, and private investment in homes and businesses has helped create a scarcity of public resources available to the county to arrest the blighting conditions in the county.~~

~~(B) Declaration of public policy. The Metro Council declares as a matter of public policy that the preservation, protection, perpetuation, and use of neighborhoods, areas, places, and structures whether residential, industrial, or commercial are urgently needed in order to preserve and enhance the quality of life for all residents of the county. The Metro Council further declares as a matter of public policy its intention to work with all interested parties, neighborhood groups, business and trade associations, labor groups, community service organizations, social organizations, and other groups, public or private, to continue its effort to revitalize neighborhoods, increase employment and tax base, and to visibly arrest blighting conditions in the county and restore residential and business prosperity in the county. The Metro Council declares that as a matter of public~~

~~policy this subchapter is necessary as a public necessity required in the health, prosperity, safety, welfare, and economic well-being of the people.~~

~~(C) Purpose. The purpose of this subchapter is to establish a process by which neighborhood plans, area redevelopment plans, and other plans may be prepared in accordance with the principles of the community's comprehensive plan and the Metro Government's development strategy, and for such plans to be officially adopted or approved by the Metro Council.~~

§ 161.01 DEFINITIONS.

NEIGHBORHOOD or **NEIGHBORHOOD BOUNDARIES** shall mean the geographical area being studied for the purpose of neighborhood plan development in accordance with this Chapter.

NEIGHBORHOOD PLAN shall mean a document prepared in accordance with this Chapter, as well as the policies and procedures established by Planning and Design Services, and intended to address the planning needs and policy goals of the citizens of a particular geographic area of Louisville Metro. This term shall include small area studies and plans, corridor studies and plans, and other similar documents, provided the particular document is prepared in accordance with this Chapter.

§ 161.02 ADOPTION OF PROCEDURES.

~~The Metro Council adopts the procedures set forth herein by which neighborhood plans or plan sections will receive official recognition for purpose of eventual implementation in accordance with the principles and guidelines of the community's~~

~~comprehensive plan and the county's development strategy as agreed on by the Department of Neighborhoods and the Metro Council.~~

§ 161.02 PREPARATION AND CONTENTS OF NEIGHBORHOOD PLAN.

(A) All neighborhood plans shall be prepared in accordance the requirements of this Chapter, as well as with all Planning and Design Services policies and procedures for neighborhood plans.

(B) *Mandatory Sections.* Neighborhood plans or plan sections shall be prepared in accordance with the principles and guidelines of the adopted comprehensive plan and shall include:

(1) *Introduction.* This section shall include a description of the neighborhood background, the purpose for initiating the plan, an overview of the planning process, and a map showing the neighborhood boundaries and location in the city. In addition, the Introduction shall include a brief description of the research basis for the neighborhood plan, or a statement that the research relied upon for the adoption of the comprehensive plan currently in place is still valid and was relied upon for the adoption of the neighborhood plan.

(2) *Vision Statement.* A concise statement that describes the image of the neighborhood in the future, as held by neighborhood residents and other stakeholders, in terms of both values and assets.

(3) *Neighborhood Identity.* A description of the neighborhood as it presently exists, including history, demographics, existing conditions, and defining characteristics of the neighborhood.

(4) Land Use/Community Form. An explanation of the existing pattern of major public and private land uses, proposal for future patterns of land use to preserve or improve its general character.

(5) Mobility. A transportation section, including a description of all existing modes of transportation, a projected transportation system for all modes.

(6) Plan Implementation. Recommendations set forth in the neighborhood plan, with implementation responsibility and time frame articulated.

(7) Executive Summary. A brief restatement of the Vision Statement and recommendations defined within each plan section, in a summary format, that is consistent with the Plan Elements of the comprehensive plan. This section shall serve as the basis for the “Executive Summary” of the neighborhood plan, which will be adopted as a part of the comprehensive plan.

(C) Optional Sections. The neighborhood plan may also contain a section or sections relating to other areas of concern to the neighborhood. If included, these sections should contain an assessment of neighborhood issues and assets as they currently exist, and specific recommendations for improvement or preservation. These sections may include, but not be limited to:

(1) Housing;

(2) Economic Development;

(3) Environmental Resources;

(4) Community Facilities and Services;

(5) Parks, Open Space, and Recreation;

(6) Urban Design or Special District; and

(7) Historic Preservation.

~~§ 161.03 CONTENTS OF NEIGHBORHOOD PLAN.~~

~~(A) Guidelines. The neighborhood plans or plan sections shall be prepared in accordance with the principles and guidelines of the comprehensive plan and shall include:~~

~~(1) A description of the neighborhood as it presently exists and governmental actions contributing to its character.~~

~~(2) A projection of probable changes in the character of the neighborhood under existing governmental policies and programs.~~

~~(3) A recommendation for changes in the neighborhood to preserve or improve its general character.~~

~~(4) Proposals for governmental actions which will encourage or facilitate the preservation or improvement of the neighborhood.~~

~~(5) Development of recommended priorities both with respect to the proposed changes in the character of the neighborhood and recommended governmental actions designed to facilitate those changes.~~

~~(B) Mandatory sections. The neighborhood plan may be developed in separate sections, but shall include at a minimum:~~

~~(1) A land use section, including the existing pattern of major public and private land uses, a future pattern of land use, and recommendations for necessary land use and zoning changes to facilitate that future pattern.~~

~~(2) A transportation section, including a description of all existing modes of transportation, a projected transportation system for all modes, and~~

~~recommendations for implementation of proposed improvements.~~

~~(3) — A needs assessment for other sections in keeping with subsection (A)(1) above as agreed upon, such as:~~

- ~~(a) — Housing section;~~
- ~~(b) — Economic development section;~~
- ~~(c) — Environmental public health section;~~
- ~~(d) — Social services section;~~
- ~~(e) — Public utilities section;~~
- ~~(f) — Open space and recreation section;~~
- ~~(g) — Cityscape and urban design section;~~
- ~~(h) — Public services section;~~
- ~~(i) — Historic preservation section;~~
- ~~(j) — Other sections.~~

§ 161.03 ROLE OF PLANNING AND DESIGN SERVICES.

Louisville Metro Planning and Design Services (“Planning and Design”) administers the neighborhood planning process. The role of Planning and Design staff is to ensure that the neighborhood plan process is conducted in accordance with Planning and Design policies and guidelines, create or assist in the creation of neighborhood plans, conduct reviews of draft neighborhood plans for conformance with the comprehensive plan, Planning Commission policies, and this Ordinance.

§ 161.04 PROCEDURES FOR DEVELOPMENT.

~~(A) — Participation by executive branch. All neighborhood plans or plan sections shall be prepared in cooperation with the Department of Neighborhoods and the Louisville Metro Development Authority. The plans shall include at a minimum:~~

~~(1) — The section(s) of the plan to be prepared.~~

~~(2) — The minimum standards for research analysis and policy development.~~

~~(3) — Any additional services unique to particular plan.~~

~~(B) — Citizen participation. The task force of the subject neighborhood shall be represented in the development of the plan. The task force shall be appointed by the Mayor, with concurrence of the Metro council member sponsor. It must include, but shall not be limited to, representatives of the neighborhood and/or neighborhood association, neighborhood business community, and any other entities or organizations designated by the Department of Neighborhoods. The task force shall consist of at least five individuals, but no more than 15 individuals. Staffing may consist of appropriate representatives from the Planning Commission, the Department of Neighborhoods, the Louisville Metro Development Authority, and the Metro Council.~~

~~(C) — Metro Council participation. A Council member or Council members of a district which is considering the creation or amendment of a development plan may serve on the advisory Committee.~~

~~(D) — Review of proposed neighborhood plans. All neighborhood plans or plan sections will at a minimum have the following reviews before adoption by the Metro Council:~~

~~(1) — Review by citizens or neighborhood task force.~~

~~(2) — Review by affected organizations or agencies.~~

~~(3) — Review by Department of Neighborhoods.~~

~~(4) — General public hearing.~~

§ 161.04 NEIGHBORHOOD PLAN ADVISORY GROUP

(A) Neighborhood Advisory Group Appointment. A neighborhood advisory group shall be appointed by the Mayor, with concurrence of the Metro Council member(s) of the district(s) in which the subject neighborhood is located. Metro Council approval of the members of the neighborhood advisory group is not required. Staffing may consist of appropriate representatives from Planning and Design and the Department of Neighborhoods, or other appropriate Metro agencies (collectively, the “Metro Agencies”). In some cases, including but not limited to situations in which such a group would be impractical due to an extremely large geographical area under consideration, or where a study is requested by the Planning Commission, at the discretion of Planning and Design, no neighborhood advisory group may be appointed.

(B) Neighborhood Advisory Group Composition.

(1) The neighborhood advisory group shall consist of at least seven (7) but no more than fifteen (15) individuals, and shall include the following:

(a) Property owners within the subject neighborhood boundaries;

(b) Owners of businesses or institution representatives located within the subject neighborhood boundaries; and

(c) Individuals with a primary residence within the subject neighborhood.

(2) No more than one person per parcel, address, or business may serve on the task force.

(C) *Neighborhood Advisory Group Role.* The neighborhood advisory group's participation in the development of the neighborhood plan involves identifying important neighborhood issues and potential stakeholders, and working with staff to provide input on content and recommendations of the neighborhood plan. The neighborhood advisory group shall perform a purely advisory role related to issues specific to development of the neighborhood plan, under leadership provided by Planning and Design or its consultant. No formal structure or process for meetings is required of the neighborhood advisory group, no official positions within the group exist, and the neighborhood advisory group is not authorized to ratify or otherwise approve the contents of neighborhood plans. The neighborhood advisory group has no authority to advise or make recommendations on current discretionary reviews, infrastructure improvement projects, or development activities in process within the neighborhood.

(D) *Neighborhood Advisory Group Meetings.* The neighborhood advisory group, under the leadership of the staff of Planning and Design or its consultant, shall conduct meetings, which shall be open to the public. The agenda for the meetings shall be established by Planning and Design staff or its consultant. Detailed minutes of each meeting shall be made and kept in the neighborhood plan file at the office of Planning and Design.

(E) *Neighborhood Advisory Group Meeting Attendance.* Any neighborhood advisory group member who has more than one unexcused absence (absent without providing prior notification) may be replaced at the recommendation of the sponsoring

Metro Council member. A new neighborhood advisory group member shall be appointed in his/her place as prescribed in the process contained herein.

§ 161.05 ADOPTION OF PLAN BY COUNCIL.

A neighborhood plan or plan section which has been prepared in accordance with this subchapter may be adopted in whole or in part by the Metro Council.

§161.05 NEIGHBORHOOD PLAN STUDY AREA BOUNDARY

Neighborhood Boundary Approval. The Louisville Metro Planning Commission shall establish and approve the study area boundary for the neighborhood plan as follows::

1. Planning and Design, in consultation with the neighborhood advisory group and its consultant, shall recommend a study area boundary for the neighborhood plan;

2. Planning and Design staff shall forward the recommended neighborhood plan study area boundary recommended to the Planning Commission for review;

3. The Planning Commission shall then establish and approve a neighborhood plan study area boundary without a public hearing. Individuals who have registered with the Planning and Design Neighborhood Notification Program shall be given notice of the meeting at which the study area boundary is approved no less than ten (10) days prior to the meeting. The Planning Commission is authorized to adjust the boundary as it deems necessary.

Once the boundary of the neighborhood plan study area is approved by the Planning Commission, no applications for change in zoning or form district, or conditional use permits, for property located within the boundary area, shall be accepted or further

processed by Planning and Design until the neighborhood plan has been adopted by Metro Council, or a period of one year from the date of boundary approval by the Planning Commission, whichever occurs first.

§ 161.06 USE OF NEIGHBORHOOD PLANS.

(A) *Use by the Metro Council.*

(1) If the Metro Council adopts a neighborhood plan or plan section, it shall thereafter consider the recommendations and proposals of the plan in the development of county-wide plans and strategies, the review of policy, the allocation of resources, the provision of services and the preparation and review of budgets, both general and community development; and

(2) The Council may also exercise its authority under KRS 100.211 to act as applicant for form district or zoning change proposals recommended by the plan to establish a development pattern compatible with the neighborhood plan or plan sections. This shall in no way bind the Metro Council to approve any form district or zoning change proposal. The Metro Council shall objectively discharge its responsibilities pursuant to KRS Ch. 100.

(3) The neighborhood plans or plan sections shall be introduced as official planning evidence in the review of zoning change proposals for determining agreement with the community's comprehensive plan.

(B) *Use by executive branch.* Adopted neighborhood plans or plan sections shall be used by the executive branch of Metro Government and various associated agencies as guides in the development of county-wide plans and policies, the review of

policy, the allocation of resources, the provision of services and the preparation and review of budgets, both general and community development.

§ 161.07 REVIEW AND ADOPTION OF NEIGHBORHOOD PLAN.

(A) Neighborhood Meeting Requirement. Prior to submitting the draft neighborhood plan to the Planning Commission for a public hearing, a neighborhood meeting shall be held to discuss the plan and accept public comments. No less than ten (10) days prior to the neighborhood meeting, notice of the meeting shall be posted in public locations in the neighborhood determined by Planning and Design staff, in the office of Planning and Design, and on the Planning and Design website.

(B) Planning Commission Public Hearing and Recommendation. After a neighborhood plan has been prepared in accordance with this Chapter, and before it is acted on by the Metro Council, the Louisville Metro Planning Commission shall hold at least one public hearing and make a recommendation to Metro Council on the neighborhood plan, including what portions, if any, of the Executive Summary of the neighborhood plan should be adopted by Metro Council as an amendment to the comprehensive plan. The Planning Commission shall publish notice of the public hearing not less than seven (7) nor more than (21) days prior to the hearing, in accordance with KRS Chapter 424.

(C) Metro Council Adoption. After the Planning Commission has held a public hearing and made a recommendation on a neighborhood plan, the Metro Council may enact an ordinance adopting the neighborhood plan as recommended by the Planning Commission, or with modifications. Additionally, the Metro Council may specifically

adopt an Executive Summary of the neighborhood plan as an amendment to the comprehensive plan.

§ ~~161.07~~ 161.08 AMENDMENTS AND REVIEWS.

All neighborhood plans or plan sections may be reviewed and amended ~~as authorized~~ by the Metro Council at any time. The Planning Commission or Metro Council may initiate updates to previously completed neighborhood plans, including plans that were completed, but that were not formally adopted by the legislative body. Executive summaries of such plans may be adopted as part of the comprehensive plan if found to comply with the adopted goals and objectives of the comprehensive plan in place at the time of the proposed update or adoption. Such review and amendment shall follow the procedures set forth under §§ 161.01 through 161.07 of this Chapter.

DEVELOPMENT PLAN FOR ~~CENTRAL~~ DOWNTOWN LOUISVILLE

§ 161.20 FINDINGS, DECLARATION OF PUBLIC POLICY, AND PURPOSE.

(A) (1) The Metro Council finds that there are presently numerous projects involving long-term capital commitments of private and public funds which are in progress or will soon commence in ~~Central~~ Downtown; that the success of each individual project depends upon, and has tremendous impact on the overall success of this Metro Government's efforts to revitalize and redevelop the Downtown ~~Central~~ Area; and, that there is a need for ~~greater~~ coordination of the development plans of the various public and private projects to insure that the goals and objectives of each project are compatible with the overall long-term development of the Downtown ~~Central~~ Area.

(2) The Council also finds that there are numerous interest groups, governmental agencies, and public and private decision makers at the local, state and federal level which may impede development progress in the Downtown ~~Central~~ Area unless they are able to arrive at common agreement on development goals and objectives.

(3) Finally, the Council finds that there is a need for established long-term goals, objectives, and plans for development in the Downtown ~~Central~~ Area that are free from the influence of short-term goals and objectives of changing government administrations.

(B) The Metro Council declares as a matter of public policy that a ~~Central~~ Louisville Downtown Development Plan is needed in order to:

(1) Coordinate existing and proposed development projects, both public and private, in Downtown ~~Central~~ Louisville;

(2) Provide a framework whereby business, government, neighborhood preservationists, and other interest groups can arrive at common agreement on development in Downtown ~~Central~~ Louisville; and

(3) Establish long-term principles, goals, objectives, plans, and policies ~~development for the~~ Downtown ~~in the Central Area~~ will facilitate coordinated and harmonious development, and eliminate uncertainty and disruption in the planning and implementation of development Downtown ~~in Central~~ Louisville.

~~(C) (1) The purpose of this subchapter is to implement certain recommendations contained in the March, 1980, Regional Urban Design Assistance Team (RUDAT) report which was Commissioned by the Board of Aldermen to study and~~

~~recommend solutions for problems impeding or threatening to impede development progress in Central Louisville, and to provide a framework for appropriate understanding and cooperation among various groups concerned about the future of Central Louisville, including business, government, neighborhoods, historic preservationists, and others.~~

~~————— (2) This subchapter implements a primary recommendation of the RUDAT study by establishing a process and timetable for preparation and adoption of a Central Louisville Development Plan to serve as a guide for public and private decision-making relating to development in Central Louisville.~~

~~(3) — (C) It is specifically intended that this Central Louisville Downtown Louisville Development Plan shall serve generally as a guide for determining the appropriateness of development and for decisions involving expenditure of such public funds as community development grants, urban development action grants, industrial revenue bonds, and other public funds to achieve maximum public benefit from investment of these public funds in Downtown Central Louisville.~~

§ 161.21 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

~~**ADVISORY BOARD.** The Advisory Board established by § 161.25.~~

~~**CENTRAL LOUISVILLE DOWNTOWN.** Central Louisville Downtown shall not be considered in the traditional context of a Central Business District of one square mile bounded by the Ohio River, York Street, the North-South Expressway and Roy Wilkins Boulevard, but shall rather consist of this intensively developed area plus the contiguous~~

surrounding and inter-related neighborhoods insofar as important physical and functional relationships exist. The Central Louisville Louisville Downtown Development Plan shall include those elements of surrounding neighborhoods which must work in concert with the intensively developed central area.

~~**DOWNTOWN BUSINESS DISTRICT.**~~ The “downtown business district” is bounded and described as follows: The entire former City of Louisville.

~~**§ 161.22 APPOINTMENT OF COMMITTEE ON GOALS FOR CENTRAL LOUISVILLE.**~~

~~_____ (A) There shall initially be appointed by the Mayor a Committee on Goals for Central Louisville to be co-chaired by the Chairman of Louisville Third Century and the Chairman of the Advisory Board. The Committee shall include one representative of each of the following groups or organizations; additional members may be admitted later by consent of the majority of the entire Committee:~~

- ~~_____ (1) Alliance for the City of Tomorrow~~
- ~~_____ (2) American Planning Association~~
- ~~_____ (3) American Institute of Architects~~
- ~~_____ (4) American Society of Landscape Architects~~
- ~~_____ (5) Metro Council~~
- ~~_____ (6) Building Owners and Managers Association~~
- ~~_____ (7) Butchertown Neighborhood~~
- ~~_____ (8) California Neighborhood~~

- ~~_____ (9) Chamber of Commerce~~
- ~~_____ (10) Citizens Energy Council~~
- ~~_____ (11) Louisville/Jefferson County Director of Community Development or his representative~~
- ~~_____ (12) Louisville/Jefferson County Director of Public Works or his representative~~
- ~~_____ (13) Mayor's Office~~
- ~~_____ (14) Convention Bureau~~
- ~~_____ (15) Criminal Justice Commission~~
- ~~_____ (16) Downtown Neighborhood Association~~
- ~~_____ (17) Governor's Office~~
- ~~_____ (18) Mayor's Office~~
- ~~_____ (19) Home Builders Association of Louisville, Inc.~~
- ~~_____ (20) Kentucky Minority Business Association~~
- ~~_____ (21) L.C.A., Inc.~~
- ~~_____ (22) Landmarks Commission~~
- ~~_____ (23) Louisville Board of Realtors~~
- ~~_____ (24) Louisville Historical League~~
- ~~_____ (25) Louisville Housing Authority~~
- ~~_____ (26) Louisville/Jefferson County Air Pollution Control Board~~
- ~~_____ (27) Old Louisville Neighborhood~~
- ~~_____ (28) Parking Authority~~
- ~~_____ (29) Phoenix Hill Neighborhood~~

- ~~_____ (30) Portland Neighborhood~~
- ~~_____ (31) Preservation Alliance~~
- ~~_____ (32) Prime Movers, Inc.~~
- ~~_____ (33) Retail Merchants Committee~~
- ~~_____ (34) Russell Neighborhood~~
- ~~_____ (35) Smoketown/Jackson Neighborhood~~
- ~~_____ (36) State Fair Board~~
- ~~_____ (37) TARC~~
- ~~_____ (38) The Broadway Group~~
- ~~_____ (39) The Third Century Committee~~
- ~~_____ (40) University of Louisville Urban Studies Center~~

~~_____ (B) The Goals Committee shall be convened at the pleasure of the Advisory Board, but at least annually, by mailing written notice to each of the groups represented on the Committee. When convened by the Advisory Board, the Committee may carry on any business requested by the Advisory Board, and at the annual meeting it shall conduct as a minimum the following business.~~

~~_____ (1) Elect a chairman to conduct the annual meeting and serve as an ex-officio member of the Advisory Board. The Chairman shall be elected by a simple majority vote of the members of the Committee present and voting at a regularly-scheduled meeting.~~

~~_____ (2) Review the performance and progress of planning and development efforts in Central Louisville in light of the previously adopted goals and objectives contained in the Plan for Central Louisville.~~

~~_____ (3) Recommend additional goals and objectives for planning and development in Central Louisville.~~

~~_____ (4) Elect four at-large members of the Advisory Board. Candidates for Advisory Board membership may be nominated by the representative of any group to be a candidate to represent one of the special interests on the Advisory Board. The representatives will be elected by a simple majority vote of the Committee members present and voting. One candidate shall be elected to represent each of the following interests:~~

~~_____ (a) Business development;~~

~~_____ (b) Neighborhoods;~~

~~_____ (c) Design;~~

~~_____ (d) Preservation.~~

~~§ 161.23 STATEMENT OF GOALS AND OBJECTIVES.~~

~~_____ (A) The Committee on Goals for Central Louisville shall prepare a statement of goals and objectives which shall serve as a guide for preparation of a Central Louisville Development Plan. The statement of goals shall be developed and presented to the Advisory Board for incorporation into the development plan within 90 days from the appointment of the Goals Committee. Technical and staff support for development and preparation of the Goals Committee's report shall be provided by the staffs of the Louisville Metro Planning Commission, and Louisville Central Area, Inc. The agendas and rules of procedure for meetings of the Goals Committee will be established by the above mentioned staffs and funding for the development and preparation of the final~~

~~report shall be provided by the Louisville/Jefferson County Neighborhood Development Cabinet.~~

~~—— (B) As a forum for continuing community dialogue and involvement, it is recommended that the Goals Committee staff establish and calendar an annual meeting on goals for development in Central Louisville.~~

~~§ 161.24 URBAN DESIGN CONSIDERATIONS.~~

~~—— Because of the particular need to address design considerations in the overall planning process, the co-chairmen of the Goals Committee shall appoint from membership of the general Committee a design subcommittee. This subcommittee shall consider opportunities for improving design aspects of development in the Central Area such as pedestrian ways; urban parks, streetscapes, and overall design, and shall make recommendations for design goals to be reviewed and included in the final report of the Goals Committee.~~

~~§ 161.25 ADVISORY BOARD.~~

~~—— (A) Upon adoption of this subchapter for Central Louisville, an Advisory Board shall be established to work with and advise the Planning Commission and L.C.A. staffs in preparation of the Development Plan for Central Louisville.~~

~~—— (B) The Chairman of the Goals Committee, elected in accordance with § 161.22(B), shall serve as an ex-officio member of the Advisory Board during the term of his office or until his successor has been duly elected and qualified. This will bring the total membership of the Advisory Board to ten, including:~~

~~—— (1) Executive Director of the Louisville Metro Planning Commission;~~

- ~~_____ (2) President of Louisville Central Area, Inc.~~
- ~~_____ (3) Director of the Department of Neighborhoods~~
- ~~_____ (4) Director of Louisville/Jefferson County Public Works~~
- ~~_____ (5) Chairman of the Goals Committee~~
- ~~_____ (6) Executive Director of the Louisville Metro Development Authority~~
- ~~_____ (7) Four at-large members elected from the membership of the Goals Committee, with one representative from each of the following special interest groups:~~

- ~~_____ (a) Business development;~~
- ~~_____ (b) Neighborhoods;~~
- ~~_____ (c) Design;~~
- ~~_____ (d) Preservation.~~

~~_____ (C) The Chairman of the Advisory Board shall be elected from its membership by a simple majority vote of the entire membership of the Advisory Board. The term of the Chairman shall be at the pleasure of the Advisory Board.~~

~~_____ (D) The Advisory Board shall, at the request of the Mayor or Metro Council, provide advice and recommendations regarding government actions involving planning and development in Central Louisville in order to insure implementation of the goals, objectives, and recommendations of the Central Louisville Development Plan, and to insure a unified and coordinated approach.~~

§ 161.26 STAFF RESPONSIBILITIES.

The Louisville Downtown Development Plan for Central Louisville shall be

~~prepared by the staff of the Louisville Metro Planning Commission in conjunction with the staff of the Louisville Central Area, Inc., and under the direction of the Advisory Board Downtown Development Corporation, Inc. and stakeholders in Downtown. The Development Plan shall be presented to the Planning Commission for review in accordance with § 161.28 within 180 days from the appointment of the Goals Committee. Funding for the Plan, public input, and development shall be provided by the Louisville Metro Development Authority and the Metro Council, in accordance with the Current Budget Document.~~

§ 161.27 CONTENTS OF PLAN.

The Louisville Downtown Development Plan ~~for Central Louisville~~ or initial plan sections shall contain as a minimum:

(A) Consolidation of existing plans. The numerous existing plans and plan elements for ~~Central Louisville~~ Downtown shall be consolidated and analyzed for compatibility or conflict. These existing plans include the Center City Development Plan of 1969 by Gruen Associates; the 1979 Update of the Louisville Center City Plan by Gruen Associates; the Concepts for the Broadway Area Plan; the Main Street Study; the Center City Transportation Plan; the 500 Block-River City Mall Plan; Station Park Plans; Old Louisville and other surrounding Neighborhood Plans; the Galleria Plan; the Kentucky Center for the Arts Plans, Medical Center Plans and other related plans.

(B) Recommendations.

(1) The Plan shall make recommendations for resolving any conflicts in existing plans identified in subsection (A) above.

(2) In addition the Plan shall identify strategic focus areas where there are needs or opportunities for public or private action to enhance the existing development plans ~~and accomplish the goals for development in the Central Area.~~

(C) Establishment of priorities. The Plan shall establish guiding principles and priorities for carrying out the recommendations identified in subsection (B) above.

~~(D) General land use and transportation element. Special attention shall be directed towards production of a transportation element and a generalized land use element. From time to time, other elements are expected to be added.~~

§ 161.28 ADOPTION OF THE PLAN.

The ~~Advisory Board~~ Downtown Development Corporation, Inc. shall submit the proposed Development Plan or plan sections ~~for Central Louisville to the Louisville and Jefferson County Planning Commission for review within 180 days from appointment of the Goals Committee. The Planning Commission shall hold a public hearing to review the proposed Plan and make its recommendations~~ to the Metro Council concerning adoption of the Plan within 60 days from receipt of the Plan. The Metro Council shall adopt the Plan by ordinance in accordance with its customary procedure.

§ 161.29 IMPLEMENTATION.

The adopted Louisville Downtown Development Plan ~~for Central Louisville~~ shall be used by elected officials and appropriate agencies as a guide for development of metropolitan wide plans and policies; allocation of resources; preparation and review of general and community development budgets; encouragement of private investment;

and generally determining the appropriateness of development in ~~Central Louisville~~ Downtown. The Louisville Downtown Development Plan shall not have the effect of land use controls such as zoning regulations.

§ 161.30 AMENDMENTS AND REVIEWS.

The Louisville Downtown Development Plan ~~for Central Louisville~~ may be revised and amended, as authorized by the Metro Council in that Plan.

§ 161.31 RECOGNITION AND USE OF PLAN.

(A) The Metro Council accepts and recognizes the principles, goals, objectives, and recommendations as set out in the ~~Central Louisville~~ Louisville Downtown Development Plan as a consensus of the community's goals, desires, and concerns regarding development and planning for ~~development in Central Louisville~~ Downtown as articulated by the ~~Goals and Objectives Committee and the Advisory Board~~.

(B) The Metro Council and the executive branch of Metro Government and its various associated agencies shall consider the Louisville Downtown Development Plan ~~for Central Louisville~~ as a guide for development of metropolitan-wide plans and policies; allocation of resources; preparation and review of general and community development budgets; encouragement of private investment; and generally determining the appropriateness of development in ~~Central Louisville~~ Downtown. The Louisville Downtown Development Plan shall not have the effect of land use controls such as zoning regulations.

~~(C) The Advisory Board may hereafter make further recommendations for~~

~~executive and legislative action to implement the plan in accordance with the goals, objectives, and recommendations established by the plan.~~

NEIGHBORHOOD STATISTICS PROGRAM

§ 161.35 CRITERIA FOR RECOGNITION.

(A) The boundaries of the neighborhood must specifically define a geographic area recognizing historical factors, natural boundaries, and community identification. The membership of the neighborhood organization must be involved in the designation of neighborhood boundaries.

(B) The stated purpose of the neighborhood organization must include the conservation and improvement of the neighborhood, and shall not be limited in scope to the performance of one particular project or program.

(C) Membership in the neighborhood organization must be open to all residents of the neighborhood, and may not require prohibitive dues.

(D) Officials of the neighborhood organizations must be elected by the general memberships, and no member in good standing may be excluded from voting.

(E) The annual general membership meeting and board of director meetings Meetings of the neighborhood organization shall be listed in the organizational bylaws ~~held at least three times per year~~, and all meetings must be well publicized in advance and open to the general public.

(F) The neighborhood organization must be incorporated and have bylaws which have been adopted by the general membership.

§ 161.36 PROCEDURES.

(A) A neighborhood organization applying for official recognition must submit to the Department of Neighborhoods of the city the following information.

(1) The bylaws and articles of incorporation of the neighborhood organization.

(2) A map of the geographical boundaries of the neighborhood or a ~~verbal~~ written description of the geographical boundaries of the neighborhood.

(3) A letter requesting official recognition.

(B) The Department of Neighborhoods shall review the neighborhood's application to determine compliance with (A) above. If it is determined the application is not complete the Department of Neighborhoods will assist the neighborhood in complying with recognition procedures. If any disputes arise over neighborhood boundaries, the area disputed will not be included in either neighborhood. The Department of Neighborhoods after making a final determination of the neighborhood organization to officially represent the neighborhood will request the Metro Council to formally recognize the neighborhood organization by resolution.

§ 161.37 FUNCTIONS AND RESPONSIBILITIES.

(A) Neighborhood organizations shall be advisory to the Mayor, Metro Council, and other Metro Government boards, Commissions, and officials on matters affecting their neighborhoods.

(B) Neighborhood organizations may submit to the Metro Government departments and elected or appointed Metro Government bodies requests or proposals

for projects or activities needed in their neighborhood.

(C) Neighborhood organizations may apply to the Metro Government for financial assistance, subject to availability, to develop neighborhood plans and proposals for land use, zoning, transportation, housing, economic development, parks and recreation, and other activities and services affecting the neighborhood in accordance with §§ 161.01 through 161.078. ~~Neighborhood organizations may apply for this financial assistance by contacting the Department of Neighborhood Advocacy.~~

(D) Neighborhood organizations shall continue the planning process by reevaluating the goals, objectives, and recommendations contained within the neighborhood plan.

(E) Neighborhood organizations may address themselves to all matters which affect them and may establish relations, not in conflict with Metro Government-neighborhood relations set forth in this subchapter, with any agency or jurisdiction with which they have mutual concerns. This subchapter governs only the relationship between recognized neighborhood organizations and the metropolitan area.

(F) Neighborhood organizations shall inform themselves of neighborhood needs and desires and maintain communication with their neighborhoods on plans, proposals, and activities affecting their areas.

(G) It shall be the responsibility of the neighborhood organizations to keep themselves informed of all proposed legislation affecting their neighborhoods so that they may participate in the legislative process.

§ 161.38 DIRECTORY; MAPS.

The Metro Government shall, through the Department of Neighborhoods, maintain a directory of neighborhood organizations. This directory shall be updated yearly. ~~The Department of Neighborhoods~~ Planning and Design Services shall maintain the county's official neighborhood maps and update the maps as necessary.

§ 161.39 CONFLICT.

If any provision of this subchapter is found to be in conflict with the Citizen Participation Plan which is a requirement of the Community Development Block Grant Program, the provisions of the Citizen Participation Plan shall prevail.

URBAN PARKS MASTER PLAN

§ 161.50 ADOPTION.

The Metro Council hereby adopts the Urban Parks Master Plan as submitted by the Louisville Metro Planning and Zoning Commission and approved and adopted by the Louisville/Jefferson County Parks and Recreation Board. The Urban Parks Master Plan is adopted by reference and made a part of this code as if set out fully herein.

§ 161.51 ADOPTION OF SMOKETOWN-SHELBY PARK NEIGHBORHOOD PLAN UPDATE.

The Smoketown-Shelby Park Neighborhood Plan Update as attached to Louisville Resolution 101_2002 by reference, modified as indicated therein, is hereby accepted and approved and hereafter shall constitute official planning evidence in land use decisions within the boundaries of the Smoketown and Shelby Park neighborhoods. The

Smoketown-Shelby Park Neighborhood Plan Update is adopted by reference and made a part of this code as if fully set forth herein.

~~LOUISVILLE CENTRAL AREA OPEN SPACE PLAN~~

~~§ 161.60~~ — ~~ADOPTION.~~

~~—— The Louisville Central Area Open Space Plan as attached hereto by reference, modified as indicated therein, is hereby accepted and recognized as the open space and streetscape master plan for downtown Louisville. The Louisville Central Area Open Space Plan is adopted by reference and made a part of this code as if fully set forth herein.~~

~~§ 161.61~~ — ~~PLAN AS GUIDE.~~

~~—— The Metro Council and the Executive Branch of Metro Government and its various associated agencies shall consider the Open Space Plan as a guide for the development, repair, replacement, and maintenance of public rights of way in the central downtown area.~~

~~§ 161.62~~ — ~~ADMINISTRATION.~~

~~—— The Department of Public Works is directed to establish necessary policies, rules, regulations, specifications and the like, to insure that the elements of the plan are clearly defined and readily available to interested parties.~~

§ 161.98 SEVERABILITY.

If any provision of this chapter as now or later amended or its application to any

person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

SECTION II. This Ordinance shall take effect upon its passage and approval.

Kathleen J. Herron
Metro Council Clerk

Rick Blackwell
President of the Council

Jerry E. Abramson
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Irv Maze
Jefferson County Attorney

BY: _____